

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NEW YORK

IN RE: §
Performance Transportation Services, Inc., et § CASE NO. 07-04746K
al §
§
DEBTOR. §

AFFIDAVIT REGARDING THE RECOVERY OF UNCLAIMED FUNDS

COMES NOW the claimant, Dilks & Knopik, LLC, attorney-in-fact for Relational, LLC, claimant, hereby petitions the Court for \$98,390.60, which is the sum of all monies being held in the registry of this court as unclaimed funds, which are due to Relational Funding Corporation, creditor. A dividend check in the amount totaling \$98,390.60 was not negotiated by the creditor and the Trustee, pursuant to 11 U.S.C. Section 347(a), delivered the unclaimed funds to the Clerk, US Bankruptcy Court.

The creditor did not receive the dividend check in the above case for the following reason: Dividends were not collected by the creditor Relational Funding Corporation. Relational Funding Corporation merged with and into Relational, LLC, as evidenced by Exhibit A.

The creditor's current mailing address, phone and social security/tax identification number are:


Relational, LLC
Thomas A. Gazdziak, Vice President
222 West Adams Street Suite 250
Chicago, IL 60606
312-765-7096
Last Four Digits of SSN/TIN:

Claimant now seeks to recover the funds from the Court's Registry. **Dilks & Knopik, LLC is not an attorney firm but has been granted Limited Power of Attorney from Relational, LLC to collect the unclaimed funds, as evidenced by the attached Limited Power of Attorney.** Wherefore, claimant prays that, upon proper notice to the U.S. Attorney's Office, the Court order that a check in the amount of \$98,390.60 made payable to Relational, LLC c/o Dilks & Knopik, LLC be issued from the Court's Registry.

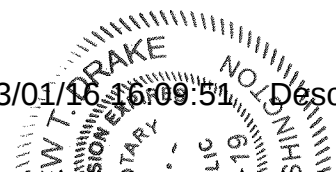
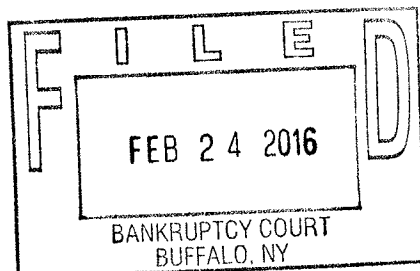
I declare under the penalty of perjury that the statements above are true and correct to the best of my knowledge and belief.

Dated: February 22, 2016

Respectfully Submitted.

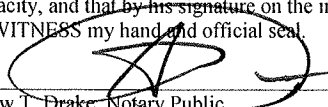


Brian J. Dilks, Managing Member
Dilks & Knopik, LLC, Attorney in Fact for
Relational, LLC
35308 SE Center St
Snoqualmie, WA 98065
(425) 836-5728





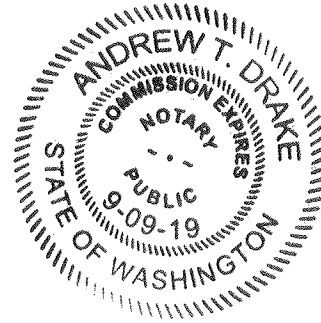
On 2/22/16 before me, Brian J. Dilks, personally appeared, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person (s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument. WITNESS my hand and official seal.



Andrew T. Drake, Notary Public

[Seal]

for the State of Washington, County of King - My Commission Expires: September 9, 2019

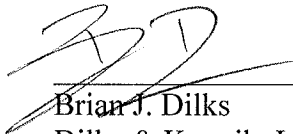


AFFIDAVIT OF FUNDS LOCATOR

I, Brian J. Dilks of Dilks & Knopik, LLC, declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief:

I have obtained the consent of the claimant to make application for the unclaimed funds as provided in this application. I have made all reasonable efforts required to believe that Relational, LLC is legally entitled to the unclaimed funds referenced in this application. To the best of my knowledge and belief, I am familiar with State of New York requirements for acting in the capacity as a personal representative (or Attorney-in-fact).

Dated February 22, 2016



Brian J. Dilks
Dilks & Knopik, LLC
Attorney in Fact for Relational, LLC

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NEW YORK

IN RE: §
§ CASE NO. 07-04746K
Performance Transportation Services, Inc., et §
al §
DEBTOR. §
§
§

CERTIFICATE OF SERVICE

I, Brian J. Dilks, Partner of Dilks & Knopik, LLC, the undersigned, do declare that on February 22, 2016, I served the within Motion for the Recovery of Unclaimed Funds to the US Attorney, listed below.


I further declare that I served a true and correct copy of the within document via United States Mail, with postage thereon fully prepaid, to the following individual(s) as follows:

U.S. Attorney
138 Delaware Avenue
Buffalo, NY 14202

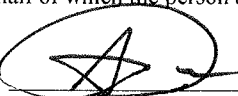
I declare, under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: February 22, 2016

Respectfully Submitted:


Brian J. Dilks, Managing Member
Dilks & Knopik, LLC, Attorney in Fact for
Relational, LLC
35308 SE Center St
Snoqualmie, WA 98065
(425) 836-5728

On 2/22/16 before me, Brian J. Dilks, personally appeared, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person (s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument. WITNESS my hand and official seal.



Andrew T. Drake, Notary Public
for the State of Washington, County of King
My Commission Expires: September 9, 2019



UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

RE: Performance Transportation Services,
Inc., et al

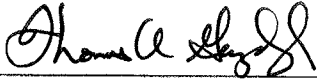
Case: 07-04746K

Debtor(s)

AUTHORITY TO ACT
Limited Power of Attorney
LIMITED TO ONE TRANSACTION

USED ONLY TO COLLECT FUNDS FROM THE ABOVE REFERENCED CASE

1. Relational, LLC with a tax identification number of _____ ("CLIENT"), appoints Dilks & Knopik, LLC ("D&K"), as its lawful attorney in fact for the limited purpose of recovering, receiving and obtaining information pertaining to the outstanding tender of funds in the amount of \$98,390.60 (the "FUNDS"), including the right to collect on CLIENT's behalf any such funds that are held by a governmental agency or authority.
2. CLIENT grants to D&K the authority to do all things legally permissible and reasonably necessary to recover or obtain the FUNDS held by the governmental agency or authority. This limited authority includes the right to receive all communications from the governmental agency or authority and to deposit checks payable to CLIENT for distribution of the FUNDS to CLIENT, less the fee payable to D&K pursuant to and in accordance with its agreement with CLIENT.
3. D&K may not make any expenditure or incur any costs or fees on behalf of CLIENT without CLIENT's prior written consent.
4. This Authority to Act shall become effective on the below signed date and shall expire upon collection of the aforementioned FUNDS. I authorize the use of a photocopy of this Limited Power of Attorney in lieu of the original.



Thomas A. Gazdziak – Vice President

February 17, 2016

Date

ACKNOWLEDGMENT

STATE OF ILLINOIS

COUNTY OF COOK

On this 17th day of February, 2016, before me, the undersigned Notary Public in and for the said County and State, personally appeared (name) Thomas A. Gazdziak known to me to be the person described in and who executed the foregoing instrument, and who acknowledged to me that (circle one) he/she did so freely and voluntarily and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

NOTARY PUBLIC

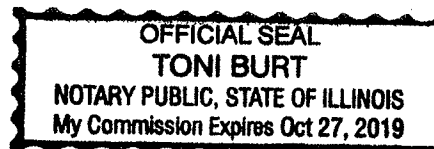


Residing at

Chicago, IL

My Commission expires

October 27, 2019



UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NEW YORK

RE:

Case: 07-04746K

Performance Transportation Services, Inc.,
et al

STATEMENT OF AUTHORITY

Debtor(s)

The undersigned being first duly sworn and states that Thomas A. Gazdziak is the Vice President of Relational, LLC. Thomas A. Gazdziak is authorized to execute and deliver all documents pertaining to the recovery of Unclaimed, Lost or Abandoned Property owing to Relational, LLC or its subsidiaries. I further acknowledge that an Application for Unclaimed Funds will be or has been submitted c/o Dilks & Knopik, LLC to the above bankruptcy court to release funds owing to Relational, LLC.

By:

Jeffrey H. Ehlers - CEO
222 West Adams Street, Ste. 250
Chicago, IL 60606
312-765-7096

Dated February 17, 2016

STATE OF ILLINOIS, COUNTY OF COOK

On February 17, 2016 before me, personally appeared Jeffrey H. Ehlers personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal.

Toni Burt
Notary Public

(SEAL)

My commission expires on October 27, 2019



00024239932

Filing Number:

180701

TX2014

05-102

Ver. 5.1

(Rev. 9-13/32)

Texas Franchise Tax Public Information Report

To be filed by Corporations, Limited Liability Companies (LLC) and Financial Institutions

This report MUST be signed and filed to satisfy franchise tax requirements

Tcode

Taxpayer number

Report year

2014

You have certain rights under Chapter 552 and 559, Government Code, to review, request, and correct information we have on file about you. Contact us at 1-800-252-1381.

Taxpayer name RELATIONAL, LLC		<input checked="" type="checkbox"/> Check box if the mailing address has changed.	
Mailing address 222 W. ADAMS ST., SUITE 250		Secretary of State (SOS) file number or Comptroller file number	
City CHICAGO	State IL	ZIP Code 60606	Plus 4

☐ Check box if there are currently no changes from previous year; if no information is displayed, complete the applicable information in Sections A, B and C.

Principal office	222 W. ADAMS ST., SUITE 250, CHICAGO, IL 60606
Principal place of business	3701 ALGONQUIN RD, STE 600, ROLLING MEADOWS, IL, 60008

Officer, director and manager information is reported as of the date a Public Information Report is completed. The information is updated annually as part of the franchise tax report. There is no requirement or procedure for supplementing the information as officers, directors, or managers change throughout the year.



1830398102314

SECTION A Name, title and mailing address of each officer, director or manager.

Name JEFFREY H. EHLERS	Title CEO	Director <input checked="" type="checkbox"/> YES	Term expiration m m d d y y
Mailing address 222 W. ADAMS ST., STE 250	City CHICAGO	State IL	ZIP Code 60606
Name THOMAS A. GAZDZIAK	Title VICE PRESIDENT	Director <input type="checkbox"/> YES	Term expiration m m d d y y
Mailing address 222 W. ADAMS ST., STE 250	City CHICAGO	State IL	ZIP Code 60606
Name TONI BURT	Title VICE PRESIDENT	Director <input type="checkbox"/> YES	Term expiration m m d d y y
Mailing address 222 W. ADAMS ST., STE 250	City CHICAGO	State IL	ZIP Code 60606

SECTION B Enter the information required for each corporation or LLC, if any, in which this entity owns an interest of 10 percent or more.

Name of owned (subsidiary) corporation or limited liability company RFC SUB NO. 1, INC.	State of formation DE	Texas SOS file number, if any	Percentage of ownership 100.00
Name of owned (subsidiary) corporation or limited liability company RFC SUB NO. 2, INC.	State of formation DE	Texas SOS file number, if any	Percentage of ownership 100.00

SECTION C Enter the information required for each corporation or LLC, if any, that owns an interest of 10 percent or more in this entity or limited liability company.

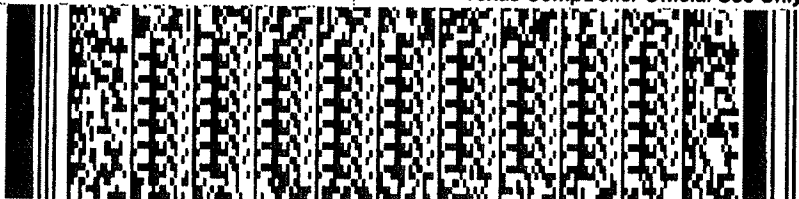
Name of owned (parent) corporation or limited liability company ROSEMONT LEASING, INC.	State of formation DE	Texas SOS file number, if any 0009841806	Percentage of ownership 100.00
Registered agent and registered office currently on file (see instructions if you need to make changes) Agent: CORPORATION SERVICES COMPANY		<input type="checkbox"/> Check box if you need forms to change the registered agent or registered office information.	
Office: 211 E. 7TH STREET, STE 620	City AUSTIN	State TX	ZIP Code 78701

The above information is required by Section 171.203 of the Tax Code for each corporation or limited liability company that files a Texas Franchise Tax Report. Use additional sheets for Sections A, B and C, if necessary. The information will be available for public inspection.

I declare that the information in this document and any attachments is true and correct to the best of my knowledge and belief, as of the date below, and that a copy of this report has been mailed to each person named in this report who is an officer, director or manager and who is not currently employed by this, or a related, corporation or limited liability company.

sign here	Title VP	Date 11/17/14	Area code and phone number (312) 765-7096
-----------	--------------------	-------------------------	---

Texas Comptroller Official Use Only

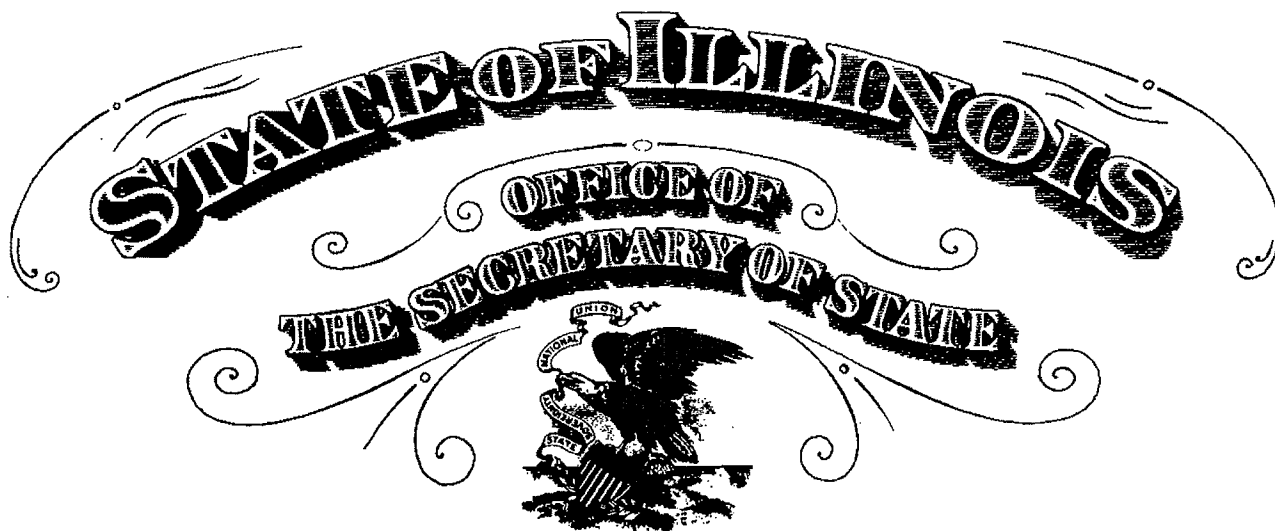


VE/DE	<input type="checkbox"/>	PIR IND	<input type="checkbox"/>
-------	--------------------------	---------	--------------------------



1019

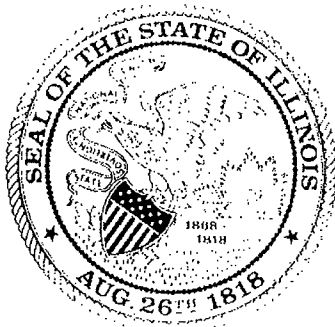
143353014033



To all to whom these Presents Shall Come, Greeting:

I, Jesse White, Secretary of State of the State of Illinois, do hereby certify that

ARTICLES OF MERGER WERE FILED IN THIS OFFICE ON JUNE 30, 2004, WHEREIN RELATIONAL FUNDING CORPORATION, AN ILLINOIS CORPORATION MERGED INTO RELATIONAL, LLC, A FOREIGN LIMITED LIABILITY COMPANY.*****



In Testimony Whereof, I hereto set my hand and cause to be affixed the Great Seal of the State of Illinois, this

day of JULY 14TH A.D. 2004

Jesse White

SECRETARY OF STATE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

IN RE:	§	
	§	CASE NO. 07-04746K
Performance Transportation Services, Inc., et	§	
al		
	§	
DEBTOR.	§	
	§	

ORDER TO PAY UNCLAIMED FUNDS

It appearing that the check made payable to Relational Funding Corporation, in the amount of \$98,390.60 was not charged against the bank account of the debtor's estate within the 90-day limit pursuant to 11 U.S.C. §347 and an unclaimed money report was entered to close the account and transfer the monies into the registry of the Clerk, United States Bankruptcy Court, and

It further appearing that Relational, LLC C/o Dilks & Knopik, LLC now claims the above monies in the petition attached hereto,

IT IS ORDERED that the Clerk of the Bankruptcy Court pay the sum of \$98,390.60, to:

Relational, LLC
C/o Dilks & Knopik, LLC
35308 SE Center St
Snoqualmie, WA 98065.

Dated: _____

United States Bankruptcy Judge